

BRAIN INJURY RIGHTS GROUP

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January 24, 2024

VIA ECF

Hon. Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Cornett et al. v. Banks, et al.*, 23-cv-06893

Dear Judge Schofield:

As Your Honor may recall, the undersigned represents the Plaintiff in the above-referenced matter. Per the Court's Order on January 22, 2024, I write to file the certified administrative record under seal. [ECF No. 20]. Pursuant to Rule 5.2(d) of the Federal Rules of Civil Procedure, I write to respectfully request leave to file under seal the certified copy of the administrative record underlying this action, which is brought pursuant to the Individuals with Disabilities Education Act.

Additionally, the administrative record in this action contains confidential information, including the name, date of birth, and other pertinent information of the minor student J.B., on whose behalf the Plaintiff brings this action. This information should not be made public in compliance with Rule 5.2(a). See Fed. R. Civ. P. 5.2(a). Thus, Plaintiff respectfully requests that the Court Order the certified record be filed under seal.

Plaintiff thanks the Court for its courtesy and consideration in this matter.

Respectfully submitted,

Rory J. Bellantoni

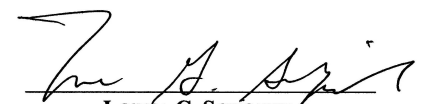
Rory J. Bellantoni (RB2901)

Cc: All Counsel of Record via ECF.

Application GRANTED as to the Rule 5.2(a) request. Application DENIED without prejudice to renewal as to the Rule 5.2(d) request. By February 1, 2024, Plaintiff shall re-file its request to seal the Administrative Record, consistent with the Court's Individual Rule I.D., explaining why sealing of the entire document rather than redaction of sensitive information is warranted. This shall include citations to Second Circuit caselaw that support a finding that sealing is appropriate in this instance. The Clerk of Court is respectfully directed to maintain Dkt. 22 under seal pending Plaintiff's renewed motion, and to close the motion at Dkt. 21.

Dated: January 26, 2024

New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE